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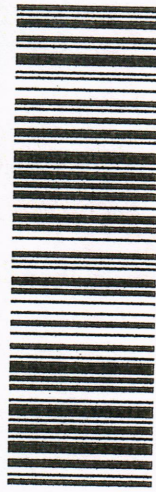
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Cabo Rojo PR 00623

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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United States Attorney's Office
District of Puerto Rico
Torre Chardón, Suite 1201
350 Carlos Chardón Avenue
San Juan, Puerto Rico 00918
Official Business

Liza Ramos,

Urb. Haciendas del Club #105,
Cabo Rojo PR 00623

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Cabo Rojo PR 00623

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U.S. Department of Justice

United States Attorney's Office

District of Puerto Rico

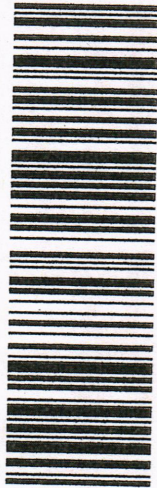
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UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Two Spider Monkeys (*Ateles Geoffroyi*
Vellerosus) - one male and one female,

Defendants *In Rem*.

Civil No.:

VERIFIED COMPLAINT FOR FORFEITURE IN REM

TO THE HONORABLE COURT:

COMES NOW, the United States of America brings this Verified Complaint for Forfeiture *In Rem* pursuant to Supplemental Rule G(2) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

Nature of the Action

1. This is a civil action *In Rem* pursuant to:

a. 16 U.S.C. § 3374(a)(1) “All fish or wildlife or plants bred, possessed, imported, exported, transported, sold, received, acquired, or purchased contrary to the provisions of section 3372 of this title (other than section 3372(b) of this title), or any regulation issued pursuant thereto, shall be subject to forfeiture to the United States notwithstanding any culpability requirements for civil penalty assessment or criminal prosecution included in section 3373 of this title.”

b. 16 U.S.C. § 3372(a)(2)(A) “import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law”

Jurisdiction and Venue

2. This Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345; over an action for forfeiture pursuant to 28 U.S.C. § 1355; and over this particular action pursuant to 16 U.S.C. § 3374.

3. Venue is proper in this district and the Court has *In Rem* jurisdiction over the Defendants *In Rem* pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1395(b) because the acts and omissions giving rise to the forfeiture occurred in this district.

The Defendants *In Rem*

4. The Defendants *In Rem* are Two Spider Monkeys (*Ateles Geoffroyi Vellerosus*) - one male and one female. The Defendants *In Rem* are within the possession, custody, or control of the United States.

Facts

5. The Defendants *In Rem* were seized on January 19, 2024, from Hiram Pomales at a veterinary facility in Oxford, Florida. This Verified Complaint fully incorporates the facts contained in the attached Unsworn Declaration of Special Agent Israel Aledo of the United States Fish and Wildlife Service (FWS).

Claim for Relief

6. The United States of America respectfully requests that the Court issue a warrant of arrest for the Defendants *In Rem*; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that the Court enter judgment declaring the Defendants *In Rem* condemned and forfeited to the United States of America for disposition according to law; and that the Court grant the United States of America such other and further relief as the Court may deem just and proper, together with the costs and disbursements of this action.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of January 2025.

W. Stephen Muldrow
United States Attorney

/s/Myriam Y. Fernández-González
Myriam Y. Fernández-González
Assistant United States Attorney – 218011
Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918
Tel. (787) 766-5656; Fax. (787) 771-4050
Email: Myriam.Y.Fernandez@usdoj.gov

VERIFIED DECLARATION

I, Myriam Y. Fernandez-Gonzalez, Assistant United States Attorney, declare pursuant penalty of perjury as provided by 28 U.S.C. § 1746, the following:

That the foregoing Complaint is based on reports and information furnished to me by the United States Fish and Wildlife Service (FWS); that everything contained therein is true and correct to the best of my knowledge and belief.

Executed in San Juan, Puerto Rico, this 15th day of January 2025.

/s/Myriam Y. Fernández-González
Myriam Y. Fernández-González
Assistant United States Attorney

VERIFICATION

I, Israel Aledo, depose and say that I am a Special Agent with the United States Fish and Wildlife Service and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *In Rem* and, pursuant to 28 U.S.C. § 1746, verify pursuant to penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in San Juan, Puerto Rico, this 14th day of January 2025.

Israel Aledo Digitally signed by ISRAEL ALEDO
Date: 2025.01.14 08:50:45 -04'00'
Israel Aledo, Special Agent
U. S. Fish and Wildlife Service (FWS)

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Two Spider Monkeys (*Ateles Geoffroyi*
Vellerosus) - one male and one female,

Defendants *In Rem*.

Civil No.: 25-cv-1028 CVR

**WARRANT OF ARREST *IN REM* ISSUED PURSUANT
SUPPLEMENTAL RULE G(3)(B)(i)**

To the United States Fish and Wildlife Service (FWS) and the United States Marshals Service (USMS) or any other Duly Authorized Law Enforcement Officer:

WHEREAS, the United States of America filed a Verified Complaint for Forfeiture *In Rem* in the United States District Court for the District of Puerto Rico seeking forfeiture of Two Spider Monkeys (*Ateles Geoffroyi Vellerosus*) - one male and one female;

WHEREAS the Defendants *In Rem* is in the possession, custody, and control of the United States; and

WHEREAS, in these circumstances Supplemental Rule G(3)(b)(i) directs the Clerk of the Court to issue an arrest warrant *In Rem* for the arrest of the Defendants *In Rem*;

WHEREAS, Supplemental Rule G(3)(c) provides that the warrant of arrest *In Rem* must be delivered to a person or organization authorized to execute it;

YOU ARE THEREFORE COMMANDED, pursuant to Supplemental Rule G(3)(b)(i) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, to seize the captioned Defendants *In Rem* and use discretion and whatever means appropriate to protect and maintain the currency pending the outcome of this action.

YOU ARE FURTHER COMMANDED, promptly after execution of this process, to file the same in this Court with your return thereon, identifying the individuals upon whom copies were served and the manner employed.

In San Juan, Puerto Rico, this 16th day of January, 2025.

Ada I. García-Rivera, Esq., CPA
Clerk of Court
United States District Court
District of Puerto Rico

Digitally signed by Ana Duran
Date: 2025.01.16 08:40:40
-04'00'

By: Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Two Spider Monkeys (Ateles Geoffroyi
Vellerosus) - one male and one female,

Defendant.

Civil No.: 25-01028-CVR

NOTICE OF COMPLAINT FOR FORFEITURE

The enclosed Complaint is sent pursuant to Rule G(4)(b) of the Supplemental Rules of Admiralty or Maritime Claims and Asset Forfeiture Actions.

1. DATE NOTICE SENT: 27th day of May, 2025
2. FORFEITURE COMPLAINT: On 15th day of January 2025, the United States of America filed a civil complaint seeking forfeiture, pursuant to 28 U.S.C. § 1345; over an action for forfeiture pursuant to 28 U.S.C. § 1355; and over this particular action pursuant to 16 U.S.C. § 3374, in the United States District Court for the District of Puerto Rico against the following defendant property:

a. wo Spider Monkeys (Ateles Geoffroyi Vellerosus) - one male and one female

3. FILING OF A VERIFIED CLAIM: Pursuant to Supplemental Rule G(5)(a)(ii), in order to avoid forfeiture of the defendant property, any person who asserts an interest in the defendant property **must** file a verified claim within **35** days after the date this notice is sent, if the notice is delivered by mail, or within 35 day of the date of delivery, if the notice is personally served and not sent by mail.

Civil No.: 25-01028-CVR

4. CONTENTS OF VERIFIED CLAIM: Pursuant to Rule G(5)(a), the claim must (A) identify the specific property claimed; (B) identify the claimant and state the claimant's interest in the property; and (C) be signed by the claimant under penalty of perjury (see 28 U.S.C. § 1746).

5. FILING OF AN ANSWER: If you filed a verified claim, you **must** then file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days after filing the verified claim.

6. FILING WITH COURT AND SERVICE ON UNITED STATES: The verified claim and answer **must** be filed with the Office of the Clerk, United States District Court for the District of Puerto Rico, Clemente Ruiz Nazario US Courthouse, 150 Carlos Chardón Street, San Juan, PR 00918. A copy of the claim and answer or motion must be sent to David O. Martorani-Dale Assistant United States Attorney, Torre Chardón, Suite 1201, 350 Carlos Chardón Street, San Juan, Puerto Rico 00918.

Failure to follow the requirements set forth above may result in judgment by default taken against you for relief demanded in the Complaint. You may wish to seek legal advice to protect your interests.

W. Stephen Muldrow
United States Attorney

/s/Myriam Y. Fernández-González

Myriam Y. Fernández-González
Assistant United States Attorney
USDC # 218011
Torre Chardón, Suite 1201
350 Carlos Chardón Street
Hato Rey, PR 00918
Tel. (787) 766-5656; Fax. (787) 771-4050
Email: Myriam.Y.Fernandez@usdoj.gov